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Customer No. 22,852  
Attorney Docket No. 06843.0048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In re Application of: )  
Anastasia KHVOROVA et al. )  
Application No.: Not Yet Assigned ) Group Art Unit:  
Filed: December 13, 2004 ) Examiner:  
For: HAMMERHEAD RIBOZYMES )

U.S. National Phase of International Application No. PCT/US03/18499

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the enclosed international search report. Copies of the listed non patent literature documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 13, 2004

By: \_\_\_\_\_  
Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/gah

IDS Form PTO/SB/08: Substitute for form PTO			Complete if Known		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			Application Number		
			Filing Date	Deember 13, 2004	
			First Named Inventor	Anastasia KHVOROVA	
			Art Unit		
			Examiner Name		
Sheet	1	of	1	Attorney Docket Number	06843.0048

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-6,423,885 B1	07-23-2002	Waterhouse et al.	
		US-			
		US-			
		US-			
		US-			
		US-			

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		Thomson et al.; "IN VITRO SELECTION OF HAMMERHEAD RIBOZYMES CONTAINING A BULGED NUCLEOTIDE IN STEM II"; Nucleic Acids Res. Vol. 24, No. 22, pages 4401-4406, (1996)	
		Wilson et al.; "IN VITRO SELECTION OF FUNCTIONAL NUCLEIC ACIDS"; Annu. Rev. Biochem, Vol. 68, pages 611-647, (1999)	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.